UPTCY COURT
PENNSYLVANIA
)
) Case No. 14-20014 TPA
) Chapter 11
) Adversary No.
) Docket No
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## COMPLAINT TO DETERMINE SECURED STATUS

NOW COMES, NATALIA V. ZAVODCHIKOV, debtor in the above-referenced chapter 11 proceeding ("Debtor"), through undersigned counsel, files the within complaint under 11 U.S.C. §506 to determine the secured status of the claims of the Defendants, Suntrust Mortgage, Inc., United States Department of the Treasury, Internal Revenue Service, Commonwealth of Pennsylvania, Department of Revenue, Whirl Magazine, LLC, and Capital One Bank, USA, NA, and in support thereof represent as follows:

- 1. The Debtor is the owner of a certain residential property located at 416 Johnston Road, Pittsburgh, PA 15241 and further identified as tax parcel 569-R-91 ("Property").
- 2. The Property has a fair market value of \$470,000 which is based upon an appraisal prepared August 11, 2014, by P. James Zak. True and correct copies of selected pages of appraisal are attached hereto as Exhibit "A" (a full copy of the appraisal may be obtained by contacting undersigned counsel).
- 3. The Property is encumbered by a first position mortgage in favor of Federal National Mortgage Association as serviced by Seterus, Inc. to secure a claim of \$570,933.
  - 4. The Property is also encumbered by the following liens (collective the "Liens"):

Priority	Creditor	Lien Type	Recording Date	Amount
			and Number	Owed*
2	SunTrust Mortgage Inc.	Mortgage	9/10/2007	97,250.00
			B/V 34438, p. 377	
3	Internal Revenue Service	Federal Tax Lien	2/09/2010	20,033.83
			FTL 10-000349	
4	PA Dept. of Revenue	State Tax Lien	10/18/2010	8,156.10
			GD 10-019505	
5	Whirl Magazine, LLC	Judgment Lien	1/10/2013	5,239.14
			GD 13-000777	
6	Capital One Bank USA	Judgment Lien	3/01/2013	3,897.87
			GD 13-003716	

<sup>\*</sup> Per recording data.

5. All of the Liens are totally under-secured. Therefore pursuant to 11 U.S.C. §506 the Debtor is entitled to have the Liens declared null and void and removed from the Property.

WHEREFORE, the Debtor prays your Honorable Court to enter an order declaring liens of all of the Defendants void and removed from the Property and granting the Debtor such other and further relief as is just.

Respectfully submitted,
/s/ Gary W. Short
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